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FILED
BOARD OF PHYSICAL THERAPY

NOV 12 2014

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF PHYSICAL THERAPY EXAMINERS

IN THE MATTER OF THE REVOCATION :
OF THE LICENSE OF:

Administrative Action

Jason Fahs, P.T. :
License No. 40QA00839300 :

CONSENT ORDER

TO PRACTICE PHYSICAL THERAPY :
IN THE STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Physical Therapy Examiners (hereinafter "the Board") upon receipt of information which the Board has reviewed, and the parties wishing to resolve this matter without further formal proceedings, hereby stipulate to the following findings of facts and conclusion of law:

FINDINGS OF FACT

1. Respondent, Jason Fahs, P.T., is a physical therapist in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On April 8, 2014, Respondent appeared and testified under oath before a committee of the Board regarding his global practice of physical therapy; and more specifically, the conduct of his practice, "All Care Physical Therapy & Sports Training," located in Union, New Jersey. Respondent was represented at the inquiry by Vincent Buttaci, Esq.

3. Respondent testified that at the time his practice was inspected by representatives of the Board, he was not wearing a name tag identifying him as a physical therapist, while he was acting in that capacity.

4. In addition, Respondent acknowledged that the patient records obtained from his practice during the inspection were deficient in several respects, including but not limited to: a lack of locations and parameters for ultrasound treatments rendered to patients; lack of recorded measurements of patient's decrease of strength referenced in the notes; failure to re-evaluate a previously discharged patient upon resumption of treatment; and a lack of functional assessments in a discharge summary.

5. Responding to questions from his attorney, Respondent testified that his practice has since adopted a compliance program, and implemented it voluntarily, with the guidance of counsel.

CONCLUSIONS OF LAW

1. The above findings of fact provide grounds for the imposition upon Respondent of disciplinary action pursuant to N.J.A.C. 13:39A-3.9, in that he failed to conspicuously wear a name tag using the term "physical therapist," while acting in that capacity in his practice.

2. The above findings of fact provide grounds for the imposition upon Respondent of disciplinary action pursuant to N.J.A.C. 13:39A-3.1, in that he failed to prepare and maintain for every patient a contemporaneous, permanent patient record that accurately reflected the patient contact with the licensed physical therapist, including but not limited to: components of each intervention, findings upon examination, and a complete discharge summary.

ACCORDINGLY, IT IS on this 12th day of November, 2014

ORDERED AND AGREED that:

1. Respondent shall cease and desist from failing to wear a name tag in compliance with N.J.A.C. 13:39A-3.9, and from failing to prepare and maintain for every patient a contemporaneous, permanent patient record that accurately reflects the patient contact with the licensed physical therapist, as required by N.J.A.C. 13:39A-3.1.

2. Respondent is hereby assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the total amount of \$2,500.00 for violations of N.J.A.C. 13:39A-3.9, N.J.A.C. 13:39A-3.8(a), and N.J.A.C. 13:39A-3.1, as set forth above. Payment shall be by certified check or money order made payable to the State of New Jersey, and shall be sent to: Lisa Tadeo, Executive Director, Board of Physical Therapy Examiners at 124 Halsey Street, Sixth Floor, P.O. Box 45014, Newark, New Jersey 07101, no later than thirty (30) days from the date of this Consent Order.

3. Failure to comply with any provisions of this Order or remit any and all payments required by this Order will result in the filing of a certificate of debt and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF
PHYSICAL THERAPY EXAMINERS

By: Karen E. Wilk, P.T., D.P.T. 400400560100
Karen Wilk, P.T., D.P.T.
Board President

I have read and understand the
within Consent Order and agree
to be bound by its terms.
Consent is hereby given to the
Board to enter this Order.

Jason Fahs, P.T.

Consent is hereby given to the
form and entry of this Order.

Vincent Buttaci, Esq.